

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION**

IN RE:

Antonio Dwayne Williams

Debtor.

)
)
)
)
)
)

**Case No. 1:19-bk-12593-NWW
Chapter 7**

U.S. TRUSTEE'S MOTION TO DISMISS

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on the U.S. Trustee's Motion to Dismiss on October 3, 2019 at 10:30 AM, in Courtroom A , located at United States Bankruptcy Court, 31 East 11th Street, Chattanooga, TN 37402.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the U.S. Trustee's Motion to Dismiss and may enter an order granting that relief.

Comes the Acting U.S. Trustee, Paul A. Randolph, by and through counsel, and hereby requests the Court, pursuant to 11 U.S.C. Section 707(a), to dismiss the Debtor's case due to the failure of the Debtor to attend the meeting of creditors. Failure to attend the meeting of creditors is an unreasonable delay that is prejudicial to creditors. In support of this Motion to Dismiss, the U.S. Trustee would show the Court as follows:

1. The Court has jurisdiction of the matter pursuant to 28 U.S.C. §§ 1334(a) and (b); 28 U.S.C. §§ 157(a) and (b)(1); and 28 U.S.C. § 151. This is a core proceeding under 28 U.S.C. §§ 157(b)(2)(A). This motion is filed pursuant to 11 U.S.C. § 707(a).
2. The case was commenced as a voluntary Chapter 13 on November 8, 2017.
3. The case was converted to Chapter 7 on June 25, 2019.
4. The Debtor failed to appear at the meeting of creditors on July 31, 2019.
5. The Debtor failed to appear at the continued meeting of creditors on August 14, 2019.

WHEREFORE, the U. S. Trustee respectfully requests the Court dismiss this case pursuant to 11 U.S.C. Section 707(a) and for such further relief as may be just and proper.

PAUL A. RANDOLPH
Acting United States Trustee, Region 8

/s/ Nicholas B. Foster
Nicholas B. Foster
Trial Attorney, TN BPR 027230
U.S. Department of Justice
Office of the U.S. Trustee
31 East 11th Street, 4th Floor
Chattanooga, TN 37402
(423) 752-5153
Nick.Foster@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion to Dismiss, Proposed Order, and Certificate of Service were sent by U.S. Mail properly addressed with correct postage for First Class Mail or by electronic mail to the parties listed below.

Antonio Dwayne Williams
1103 May Street
Dalton, GA 30721
Debtor

W. Thomas Bible, Jr
Attorney for the Debtor

Elisabeth B. Donnovin
Trustee

/s/ Nicholas B. Foster